

REMARKS

Claim 1 has been amended as agreed at the interview to designate A as a lipid structural component of the lipid-based vehicles. This is supported by claim 2 as previously presented, which claim is now redundant and has been canceled, and the claims dependent thereon have been amended to reflect this. Claim 23 has been amended in accordance with the description on page 7 at lines 10-11. As it is believed that these amendments place the application in a position for allowance, entry of the amendment is respectfully requested.

The Rejection Under 35 U.S.C. § 112, Second Paragraph

All claims were rejected under this statutory section for asserted indefiniteness in the identity of component A. Applicants appreciate that agreement was reached in the telephonic interview that the proposed amendment to claim 1 would overcome this basis for rejection.

In addition, the term “derived from” in claim 23 was considered indefinite. Claim 23 has also been amended in response to this rejection to specify exactly what is meant.

In view of these amendments, this basis for rejection may be withdrawn.

Conclusion

Applicants again express their appreciation to Examiner Swartz for his consideration of the proposed amendments. It is believed that the remaining claims, claims 1, 3-31 and 34-35, are now in a position for allowance and passage of these claims to issue is respectfully requested.

The sole reason for refusing to enter the amendment previously submitted was that Claims 22-25, 28-31 and 34 recited an improper dependence from cancelled Claim 2. This was clearly a typographical error and the present amendment corrects that.

There being no other issues outstanding, Applicants believe that the pending claims are in a position for allowance.

Should issues arise that could be settled by means of a telephone conversation (such as those addressed by the present replacement amendment), a telephone call to the undersigned would be greatly appreciated.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 532552001200.

Respectfully submitted,

Dated: August 8, 2007

By: Electronic signature: /Kate H. Murashige/
Kate H. Murashige
Registration No.: 29,959
MORRISON & FOERSTER LLP
12531 High Bluff Drive, Suite 100
San Diego, California 92130-2040
Telephone: (858) 720-5112
Facsimile: (858) 720-5125